

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PURCELL BRONSON,)	
)	Civil Action No. 11 – 260 Johnstown
Plaintiff,)	
)	District Judge Kim R. Gibson
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
MUHAMMAD NAJI, MARIA)	
LEAHY, and MANDY VARNER,)	
)	
Defendants.		

MEMORANDUM ORDER

On November 10, 2011, a motion for leave to proceed *in forma pauperis* was filed in the above captioned case, which was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Local Rules 72.C and 72.D.

The magistrate judge filed a Report and Recommendation on November 17, 2011, (ECF No. 3) recommending that Plaintiff’s motion to proceed *in forma pauperis* be denied in accordance with 28 U.S.C. § 1915(g) and that this action be dismissed for Plaintiff’s failure to pay the filing fee, with the right of Plaintiff to reopen by paying the full \$350.00 filing fee. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until December 5, 2011, to file written objections. Plaintiff filed objections on December 12, 14, and 30, 2011. (ECF Nos. 7, 8, 10.) The objections do not undermine the conclusions set forth in the Report and Recommendation.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the objections thereto, the following order is entered.

AND NOW, this 25th day of January, 2012;

IT IS HEREBY ORDERED that Plaintiff's motion to proceed *in forma pauperis* (ECF No. 1) is **DENIED** in accordance with 28 U.S.C. § 1915(g).

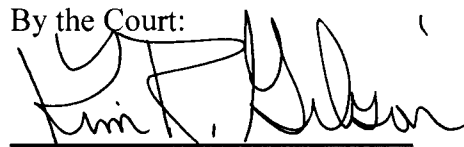
IT IS FURTHER ORDERED that Plaintiff may reopen this case by paying the full \$350.00 filing fee within sixty (60) days.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 3) dated November 17, 2011, is **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

A handwritten signature in black ink, appearing to read 'Kim R. Gibson', written over a horizontal line.

Kim R. Gibson
United States District Judge

cc: Purcell Bronson
AF-8163
SCI Houtzdale
PO Box 1000
Houtzdale, PA 16698